

AMENDED IN ASSEMBLY MARCH 21, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 195

**Introduced by Assembly Member Roger Hernández
(Coauthor: Assembly Member Allen)**

January 27, 2011

An act to ~~repeal and add~~ *amend* Section 3506 of, *and to add Section 3506.5 to*, the Government Code, relating to local public employee organizations.

LEGISLATIVE COUNSEL'S DIGEST

AB 195, as amended, Roger Hernández. Local public employee organizations.

The Meyers-Milias-Brown Act provides for the representation of local public employees by employee organizations and for the execution of memoranda of understanding between those organizations and local public agencies. The act prohibits a public agency or an employee organization from, among other things, intimidating, coercing, or discriminating against employees because they have chosen to join, or not join, an employee organization.

This bill would ~~delete that prohibition and would~~ instead prohibit a public agency from, among other things, imposing reprisals on or discriminating against employees because of their exercise of rights guaranteed by the act, refusing or failing to meet and negotiate in good faith with a recognized employee organization, or refusing to participate in good faith in an applicable impasse procedure.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1. Section 3506 of the Government Code is repealed.~~

2 SECTION 1. Section 3506 of the Government Code is amended
3 to read:

4 3506. ~~Public agencies and employee~~ Employee organizations
5 shall not interfere with, intimidate, restrain, coerce or discriminate
6 against public employees because of their exercise of their rights
7 under Section 3502.

8 SEC. 2. Section ~~3506~~ 3506.5 is added to the Government Code,
9 to read:

10 ~~3506.~~

11 3506.5. A public agency shall not do any of the following:

12 (a) Impose or threaten to impose reprisals on employees, to
13 discriminate or threaten to discriminate against employees, or
14 otherwise to interfere with, restrain, or coerce employees because
15 of their exercise of rights guaranteed by this chapter. For purposes
16 of this subdivision, “employee” includes an applicant for
17 employment or reemployment.

18 (b) Deny to employee organizations the rights guaranteed to
19 them by this chapter.

20 (c) Refuse or fail to meet and negotiate in good faith with a
21 recognized employee organization. For purposes of this
22 subdivision, knowingly providing a recognized employee
23 organization with inaccurate information, whether or not in
24 response to a request for information, constitutes a refusal or failure
25 to meet and negotiate in good faith.

26 (d) Dominate or interfere with the formation or administration
27 of any employee organization, contribute financial or other support
28 to any employee organization, or in any way encourage employees
29 to join any organization in preference to another.

30 (e) Refuse to participate in good faith in an applicable impasse
31 procedure.